

ORDINANCE 12-26

TO VACATE A PUBLIC PARCEL

Re: Portion of Morton Street Right-of-Way, South of Kirkwood Avenue and Directly
West of the B-Line Trail
(CFC, Inc., Petitioner)

*with drawn by
petitioner
vote to accept 9-0*

- WHEREAS, I.C. 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places;
- WHEREAS, the petitioner, (CFC, Inc.) has filed a petition to vacate a parcel of City property more particularly described below; and
- WHEREAS, pursuant to I.C. 36-7-3-16, the City received written communications from utility services regarding their interests in the right-of-way and those communications are on file and available for inspection at the City Planning and Clerk and Council Office at 401 North Morton Street, Bloomington, Indiana (47402);

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority of I.C. 36-7-3-12, a portion of City owned property shall be vacated. The property is a segment of Morton Street right-of-way, south of West Kirkwood Avenue and west of the B-Line Trail more particularly described as follows:

Part of the former railroad right-of-way of the former Louisville and Nashville Railroad, bounded and described as follows:

Beginning at the Northeast corner of Inlot 133 in the City of Bloomington, Monroe County, State of Indiana; thence South, 138.00 feet along the east line of said Inlot 133 to an iron pin in the center of a vacated 12 foot wide alley; thence east, 25.00 feet; thence North 138.00 feet to the south line of Kirkwood Avenue (Fifth Street); thence West, 25.00 feet along said south line of Kirkwood Avenue to the point of beginning and containing 3450 square feet.

SECTION 2. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2012.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2012.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2012.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

The petitioner, CFC, Inc., requests vacation of a portion of Morton Street right-of-way bounded by West Kirkwood Avenue and the B-line Trail in order to move a limestone building from 217 West Kirkwood Avenue to create an active retail space along the B-Line Trail.